

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

QUESTIONNAIRE FOR THE PRISONERS PROCEEDING
PRO SE UNDER 42 U.S.C. § 1983

RoyLee Smith
DOC# 1000661938

(GIVE FULL NAME AND PRISON NUMBER OF PLAINTIFF)

Plaintiff

CIVIL ACTION NO:

5:14-CV-071

VS.

Mr. George Zoley Chief
Executive EEO Group Inc.

(NAME OF EACH DEFENDANT)

Defendant(s)

I. GENERAL INFORMATION

1. Your full name and prison number RoyLee Smith DOC# 1000661938
2. Name and location of prison where you are now confined Riverhead Court Fac.
3. Sentence you are now serving (how long?) 6 yrs
 - (a) What were you convicted of? probation violation
 - (b) Name and location of court which imposed sentence Chatham County Superior Court in Savannah, GA 31401
 - (c) When was sentence imposed? Oct 7, 2011
 - (d) Did you appeal your sentence and/or conviction? Yes ☐ No ☒
 - (e) What was the result of your appeal? guilty plea

(f) Approximate date your sentence will be completed oct 6, 2016

II. PREVIOUS LAWSUITS

NOTE: FAILURE TO DISCLOSE ALL PRIOR CIVIL CASES MAY RESULT IN THE DISMISSAL OF THIS CASE. IF YOU ARE UNSURE OF ANY PRIOR CASES YOU HAVE FILED, THAT FACT MUST BE DISCLOSED AS WELL.

4. Other than an appeal of your conviction or sentence, and other than any habeas action, have you filed a lawsuit dealing with the same or similar facts or issues that are involved in this action?

Yes ☐ No ☒

5. If your answer to question 4 is "Yes," list that lawsuit below, giving the following information:

(IF YOU HAVE FILED MORE THAN ONE LAWSUIT, LIST OTHER LAWSUITS ON A SEPARATE SHEET OF PAPER, GIVING THE SAME INFORMATION FOR EACH)

(a) Parties to the previous lawsuit INVOLVING SAME FACTS:

Plaintiff(s): _____
 Defendant(s): _____

(b) Name of Court: _____

(c) Docket Number: ✓ When did you file this lawsuit? ✓

(d) Name of judge assigned to case: _____

(e) Is this case still pending? Yes ☐ No ☐

(f) If your answer to (e) is "No", when was it disposed of and what were the results?

(DID YOU WIN? WAS THE CASE DISMISSED? DID YOU APPEAL?)

6. Other than an appeal of your conviction or sentence, and other than any habeas action, have you ever filed any lawsuit while incarcerated or detained? Yes ☐ No ☐

7. If your answer to question 6 is "Yes," list that lawsuit below, giving the following information:

(IF YOU HAVE FILED MORE THAN ONE LAWSUIT, LIST OTHER LAWSUITS ON A SEPARATE SHEET OF PAPER, GIVING THE SAME INFORMATION FOR EACH)

(a) Parties to the previous lawsuit:

Plaintiff(s): _____
 Defendant(s): _____

(b) Name of Court: _____

(c) Docket Number: ✓ When did you file this lawsuit? ✓

(d) Name of judge assigned to case: ✓

(e) Is this case still pending? Yes ☐ No ☐

(f) If your answer to (e) is "No", when was it disposed of and what were the results?
(DID YOU WIN? WAS THE CASE DISMISSED? DID YOU APPEAL?)

X

8. AS TO ANY LAWSUIT FILED IN ANY FEDERAL COURT in which you were permitted to proceed *in forma pauperis*, was any suit dismissed on the ground that it was frivolous, malicious, or failed to state a claim? Yes ☐ No ☒

If your answer is Yes, state the name of the court and docket number as to each case:

N/A

N/A

III. PLACE OF INCIDENT COMPLAINED ABOUT

9. Where did the matters you complain about in this lawsuit take place? Riverhead
Correctional Facility, in Millen, GA 31061

(a) Does this institution have a grievance procedure? Yes ☒ No ☐

(b) If your answer to question 9(a) is "Yes", answer the following:

(1) Did you present your complaint(s) herein to the institution as a grievance?

Yes ☒ No ☐

(2) If Yes, what was the result? I presented my grievance about
Jan 24, 13 and it's now February 19, 14 and I still
haven't got any answers or response and that be over 12
months,

(3) If No, explain why not: Same in number (2) listed above

X

(c) What, if anything else, did you do or attempt to do to bring your complaint(s) to the attention of prison officials? Give dates and places and the names of persons talked to.

I wrote warden Heed, grievance officer Mrs. Smith and my
counselor Mr. Campbell but everybody ignores me and
won't respond.

(d) Did you appeal any denial of your grievance to the highest level possible in the prison system? Yes ☐ No ☒

(1) If Yes, to whom did you appeal and what was the result?

X

(2) If No, explain why you did not appeal: I haven't received it
back and that's been over 12 months now since
Jan. 24, 13

10. In what other institutions have been confined? Give dates of entry and exit.

N/A

IV. PARTIES TO THIS LAWSUIT

11. List your CURRENT place of incarceration/mailling address.

Roy Lee Smith CDC# 100064938
Riverside Correctional Facility
196 Laying Farm Road
Millidgeville, LA 71061 (504) 414-2300

12. List the full name, the official position, and the place of employment of each defendant in this lawsuit. (ATTACH ADDITIONAL PAGES IF NECESSARY)

Mr. George Zoley Chief Executive of GEO Group Inc.
One Park Place 621, North West Place 53rd Street
Boca Raton FL, 33487

V. STATEMENT OF CLAIM

13. In the space hereafter provided, and on separate sheets of paper if necessary, set forth your claims and contentions against the defendant(s) you have named herein. Tell the court WHAT you contend happened to you, WHEN the incident(s) you complain about occurred, WHERE the incident(s) took place, HOW your constitutional rights were violated, and WHO violated them? Describe how each defendant was involved, including the names of other persons who were also involved. If you have more than one claim, number and set forth each claim SEPARATELY.

DO NOT GIVE ANY LEGAL ARGUMENT OR CIT ANY CASES OR STATUTES AT THIS TIME; if such is needed at a later time, the court will advise you of this and will afford you sufficient time to make such arguments. KEEP IN MIND THAT RULES 8 OF THE FEDERAL RULES OF CIVIL PROCEDURE REQUIRES THAT PLEADINGS BE SIMPLE, CONCISE, and DIRECT! If the court needs additional information from you, you will be notified.

WHERE did the incident you are complaining about occur? That is, at what institution or institutions? Riverbend Correctional Facility in Milledgeville, GA 31001

WHEN do you allege this incident took place? Since Jan 8, 13 until present,

WHAT happened? see all claims and actual facts not opinions,
plaintiff First claim is for Lack of Fire safety, there are no fire
exit signs on any door in case of a emergency evaluation, plaintiff Se-
cond claim is being expose to excessive cold ventilation temperature
inside the dorm, plaintiff Thired claim is lack of drinkable water due
to Toxic and noxious fumes and contaminated water from septic
tank pipelines running together with regulare ~~Fater~~ Fountain drinking
water et al, all this is cause from the defective plumbing system
which is unsanitary, plaintiff's Fourth claim is GEO Group chief
Executive Mr. George Zaley, lack of training of custody staff officers
in mental health issues Level(2) mental health inmates because
plaintiff herein is also a Level(2) mental health patient whom suffers
at the hands of GEO Group Inc. Correctional officers not understanding
the seriousness of a mental health patient, Also my constitutional
rights were violated when ~~he~~ was deprived of a basic human
need guaranteed by the united states constitution

Clause by the owner of GEO Group Inc. Chief Executive Mr. George Zoley, building a private correctional Facility, contracted with the state and Federal government to house inmates, however this contract did not involve poor plumbing system, or lack of fire safety exit signs, or Failure to train officers to understand the seriousness of any mental health patient, the responsibility of such lies at the hands of the Chief Executive Mr. George Zoley of GEO Group Inc. Furthermore this 42 U.S.C 1983 requires plaintiff to cite no legal arguments or case citation nor statutes, plaintiff has suffered under these extreme conditions since Jan. 8, 2013, the date he was transferred from A.D. Diagnostic Classification, and has and still is suffering migraine headaches, vision loss, dizziness, dry skin, and dry scalp, mood swings, Also plaintiff has asthma and his injuries are becoming more life threatening every day due to these exposures of serious health problem and (bio-waste)

Additional claim (Fifth one) plaintiff allege the Failure of Chief Executive Georgia Zoley to have a Generator for back up for the inmates to take showers at the Riverbend Correctional Facility as of 5:00 AM Feb. 13th 14 there is no Hot water to shower, with, plaintiff has a Six (6) claim which is presented by two exhibits A and Exhibit - B. see page six over →

grievance number # 163316, challenging the condition of a basic human need, the deprivation and denial of Boots, plastic rain poncho and Tabbagan MAT, See warden's disposition dated Dec. 31.13. he stated For me to purchase shoes and Stocking cap using access. I am a poor indigent inmate under the custodian care of the GEO Group Inc Chief Executive Georgia Zoley and this is a human basic need that I am being directed to pay For expenses, See (7th) Claim the grievance number # 163637, Exhibit - B enclosed plaintiff Access to Court is a constitutional right not a privilege and GEO Group Inc, George Zoley has authorize (warden) of Riverbend Corrt Facility to charge me Sale Taxes of commissary Hygiene and Food purchase, and to charge my inmates account For Legal copies made of Legal material generated by the state and Federal Courts, any material I need to challenge and unconstitutional Sentence is required under my right to petition government officials For an redress of grievance First amend. const, plaintiff is in fact a ward of this state and a U.S. Citizen whom reserve his First amendment right to redress with^{out} being required to pay GEO Group Inc. George Zoley Chief Executive money to do so he is my custodian,

plaintiff's (8) claim See Exhibit - C disposition
 From final grievance Level the office of inmate
 Affairs Mr. Lisa Fountain Interim Manager
 ombudsman office, following Exhibit - A
 which is all enclosed please acknowledge it
 was said by inmate affairs office Mr. Fountain
 Lisa, that plaintiff did not provide any evidence
 factual to substantiate his allegations that
 prove it was a basic human need, further
 more plaintiff made very clear in his grievance
 that the deprivation (denial) of boot rain coat,
 etc al constitutes a Eighth Amendment right
 violation which govern ~~basic~~ basic human
 needs, defendants have deliberately acted
~~with~~ bias with evil motivated intentions,
 and plaintiff's claim for punitive damages
 and monetary money damages are
 supported in. Adeprivation of a basic human
 need (such as food, clothing, shelter, exercise,
 medical care, or reasonable safety) (the ob-
 jective element) *Helling v. McKinney*, 509, U.S.
 25, 31-32. (1993). plaintiff's (9) claim is a
 violation of a First amend. const, the right to
 petition government official for a redress of
 grievance Exhibit - D grievance number on
 163637 enclosed plaintiff access to court rights
 is not a privilege however but is a right
 guaranteed by the U.S. const First amend.

and plaintiff being a word of the state he is in fact has a right to challenge and alleged unconstitutional and illegal end word sentence and judgment, with materials provided by the Georgia department of Corrections. And now plaintiff demands a reimbursement of all money paid ~~toward~~ toward challenge his illegal conviction which is approximately about 2.84 dollars, in compensatory damages and or nominal damages or an monetary damage relief,

14. List the name and address of every person you believe was a WITNESS to the incident(s) you complain about, BRIEFLY stating what you believe each person knows from having seen or heard what happened. (USE ADDITIONAL SHEETS, IF NECESSARY)

every inmate housed at this facility will verify and give a verifiable statement if this is so required or ordered it

15. BRIEFLY state exactly what you want the court to do for you. That is, what kind of relief are you seeking in this lawsuit? Do not make any legal arguments and do not cite any cases or statutes! (USE ADDITIONAL SHEETS, IF NECESSARY)

to award me Five million dollars in punitive damages for my injuries in the individual capacity of chief Executive George Zoley of GEO Group Inc. and to transfer plaintiff to a CTC Transicional Center, as Security Level is minimum and injunctive relief can be awarded.

16. You may attach additional pages if you wish to make any legal argument. However, legal arguments are NOT required in order for you to obtain relief under §1983. If the court desires legal argument from you, it will request it. If any defendant presents a legal argument, you will be afforded an opportunity to respond thereto.

17. KEEP IN MIND THAT ONCE YOUR LAWSUIT IS FILED, THE COURT WILL REQUIRE YOU TO DILIGENTLY PROSECUTE IT. That means that you will be required to go forward with your case without delay. Thus, if you fail to adequately prepare your case before you file it, you may find your lawsuit dismissed for failure to prosecute if you take no action once it is filed. YOU WILL RECEIVE NO FURTHER INSTRUCTIONS FROM THE COURT TELLING YOU WHAT TO DO OR HOW TO DO IT! IT IS YOUR RESPONSIBILITY AND YOURS ALONE TO PROSECUTE YOUR OWN CASE! If you fail to prosecute your case, it will be dismissed under Rule 41 of the Federal Rules of Civil Procedure.

Signed this 14th day of February, 20 14.

Rayle Smith
PLAINTIFF

(Legal Arguments and Citations of Claim)

1. To establish a violation of the Eighth Amendment it is necessary to show two things, 1) A deprivation of a basic human need such as food, clothing, shelter, exercise, medical care, or reasonable safety which are the objective elements Helling v. McKinney, 509, U.S. 25, 31-32 (1993). See Exhibit-A enclosed grievance warden Head, denied plaintiff of a pair of Boots and a tobaggan Hat and rain coat, the condition of the season is winter, (cold temperature), its raining and temperature is 21 to 39 degrees, 2. Exhibit-B grievance enclosed warden Head, said GEO policy is in compliance with state and Federal court orders, There is not court orders which authorize GEO Group Inc. to charge inmates money to exercise of their First amendment constitutional right to petition the government for a redress of grievance under ones access to court, 3. GEO Group Inc. chief Executive George Zelay, Failure to train officers to handle mental health patients is an Eighth amend. const. violation supported in Cann v. City of Reno, 591 F.3d 1081 (9th Cir. 2010). 4. Excessive exposure to cold temperature ventilation inside dorm supported in Gillis v. Litscher, 468, F.3d 488, 494 (7th Cir. 2006). 5. plaintiff claim that GEO Group Inc. Lack of drinkable water due to its Toxic Fumes coming from the poor plumbing system and pip lines running with the septic

tank makes drinking water polluted and such claim would not be frivolous supported in See Jackson v. Duckworth 955 F. 2d 21, 22. (7th Cir. 1992). 6. plaintiff argues the lack of Fire ~~safety~~ safety Clause by GEO Group Inc. Chief Executive George Zoley has deliberately denied plaintiff Fire safety rights because he has refuse to place Fire exit signs ~~on~~ on doors ~~in~~ ⁱⁿ the unit building and dorms, claim supported by Hadix v. Johnson 367, F.3d 513, 525, (6th Cir. 2004). 7. GEO Group Inc. Chief Executive George Zoley has deliberately Failed to created a environmental safety hazard because there are no fire exits etc al inside the dorms which risk of injury or death in the event of an earthquake, supported in Jones v. City and County of San Francisco 976, F. Supp. 896, 909-10 (N.D. Cal. 1997). 8. defendant George Zoley is fully responsible for the way this Facility is run and responsible for training all his staff employees and to make sure they are well ~~qualify~~ ^{qualified} for their positions and job titles, defendant works under the Corlar of state law while training his employees to perform their duty at work and has no qualified immunity because this is a private prison Facility corporation

plaintiff's 9th. argument, is if defendant shows any form of retaliation for the filing of his complaint by transferring plaintiff to another private or state facility other than a Transitional center as his security level minimum requires, the request for this relief will be punitive damages supported. In Siggers et al v. Barlow 433 F. Supp. 2d 811 (E.D. Mich 2006) In that case a prisoner received \$200,000 in punitive damages after he was transferred in retaliation for complaining to the warden about a prison official who harassed the prisoner and refused to put in the routine paperwork he needed to pay his appellate lawyer, and plaintiff demands 200,000 dollars also in this civil action under punitive damages,

Exhibit-A
12-12-13CONFIDENTIAL
Offender GRIEVANCE FORM (Facsimile)Attachment 1
SOP IIB05-0001

INSTITUTIONAL STAFF USE ONLY

OFFENDER NAME Roylee Smith

OFFENDER NUMBER 1000661938

INSTITUTION Riverbend Correctional Facility

GRIEVANCE NUMBER 163316

DATE COMPLETED FORM RECEIVED FROM OFFENDER

BY

DATE APPEAL RECEIVED

BY

THIS FORM MUST BE COMPLETED IN INK. YOU MUST INCLUDE SPECIFIC INFORMATION CONCERNING YOUR GRIEVANCE TO INCLUDE DATES, NAMES OF PERSONS INVOLVED, AND WITNESSES.

DESCRIPTION OF INCIDENT:

I am filing this complaint against warden Fredrick J. Head for allowing his captain on property control Mr. Dixon to deprive me of a basic human need guarantee by the Eighth amendment united states constitution which deals with prison conditions, for taken my Boots and issuing me a pair of plastic crops with holes inside them, and for refusing to issue me a clear rain poncho and a Tobhagen Hat; due to the season of weather, I am aware of this state prison Facility Corrections and riverbend Correctional Facility is responsible to my safety and Health, and I stand a high serious risk of getting sick and need over 7

RESOLUTION REQUESTED:

A pair of size 11 tennis shoes or Boots size 11, and a Tobhagen Hat, and a rain poncho like at the expenses to riverbend Correctional Facility as the 8th amendment requires of prison conditions of weather,

Roylee Smith
OFFENDER Signature

12-12-13
Date

Is this grievance being filed within the 10 day time limit? Please answer ☒ Yes or ☐ No . If the answer is No, please explain why.

the proper clothes Boots or tennis shoes, and a Tabbargen Hat and a rain poncho. For raining days, I almost slip and fall several times due to these plastic Hotelly crops which is also a safety hazard, it is the ~~responsibility~~ responsibility of Warden Head to provide proper clothes due to the wheeter conditions outside. And I am requesting a pair of tennis shoes size 11, and or a pair of Boots size 11, and a rain poncho suite and a Tabbargen Hat, immediately or I am force to file a 1983 Civil Action For violation of my Eighth Amendment which deals with a basic human need, conditions in prison. This grievance is my informal resolution to resolve this matter.

Thank you

Royce Smith

12-12-13

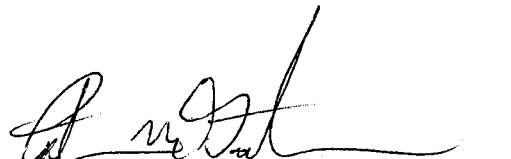
Thursday morning 1206, 2013

WARDEN'S/SUPERINTENDENT'S GRIEVANCE RESPONSEOffender's Name: **Roylee Smith**

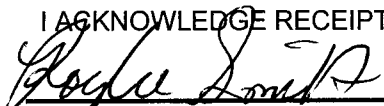
Grievance Number: 163316

GDC #: **1000661938**Facility: **Riverbend C.F.****RESPONSE TO GRIEVANCE:**

Boots are issued to inmates who need them for their work details. Based on GDC SOP rain coats and tobaggans are optional and Riverbend opts not to supply them. You may purchase a pair of tennis shoes and a stocking cap through Access. Grievance denied.


Warden's/Superintendent's signature12/31/13
(date)

I ACKNOWLEDGE RECEIPT OF THE ABOVE RESPONSE ON THIS DATE:


Offender's signature~~12/31/13~~ 01/03/14 ^{RLS}
(date)

You have seven (7) calendar days within which to appeal this Response to your Grievance Coordinator. If the last day is not a business day at your institution, you may file it on the next day that is a business day.

12-19-13

Attachment 1

SOP IIB05-0001

CONFIDENTIAL
Offender GRIEVANCE FORM (Facsimile)

INSTITUTIONAL STAFF USE ONLY	
OFFENDER NAME <u>Royce Smith</u>	OFFENDER NUMBER <u>100001938</u>
INSTITUTION <u>1100F</u>	GRIEVANCE NUMBER <u>100001938</u>
DATE COMPLETED FORM RECEIVED FROM OFFENDER	BY
DATE APPEAL RECEIVED	BY

THIS FORM MUST BE COMPLETED IN INK. YOU MUST INCLUDE SPECIFIC INFORMATION CONCERNING YOUR GRIEVANCE TO INCLUDE DATES, NAMES OF PERSONS INVOLVED, AND WITNESSES.

DESCRIPTION OF INCIDENT:

I am filing this grievance against EEO Group conditions at Riverbend Correctional Facility, which violates a statutory right and the First Amendment Constitutional So right protected by Turner standards. I am an ward of the state prison penal system, and placed in there custody. And the prison is ordered to provide all legal materials and copies to incarcerated prisoners whom challenging his or her unconstitutional convictions by Habeas Corpus petitions. The prison is also authority to pay any legal or personal postages over →

RESOLUTION REQUESTED:

That any and all obligations for Legal mail copies and postages and the dollar a month and any Sale Taxes be immediate stopped or I will be force to file a law suit, this is my informal resolution and Exhaustion of Administrative remedies as the Ct requires!

Royce Smith
OFFENDER Signature

12-18-13
Date

Is this grievance being filed within the 10 day time limit? Please answer

Yes ☒ or

No . If the answer is No, please explain why.

without compensation from the ~~prison~~ prisoners family members whom place money on a inmates account. I currently have 3 state Habeas corpus pending in Baldwin County Superior Court for unconstitutional convictions, and a 1983 civil action which also challenges other prison conditions I was violated on, and Warden Mr. Fredrick J. Head is well aware of such actions pending. I am also being force to pay one dollar a month for inmate account, which is unconstitutional and violates a condition in prison, A prison facility may profit interest from an inmates account but not charge the inmate for having an account, I am also being force to pay sales taxes on purchase food items from the commissary. I am seeking immediate injunctive relief from GEO Group Riverbend Court Facility, to Dispose of any obligations pending against me for legal mail copies, and postages for any postages of mail outgoing. I am also requesting for injunctive relief that no further deduction for sales tax for food purchases be deducted from my inmates account, And for GEO Group at Riverbend Correctional Facility, and the GDC Mr. Brian Owens stop charging me a dollar for holding an account for me.

WARDEN'S/SUPERINTENDENT'S GRIEVANCE RESPONSE

Offender's Name: **Roylee Smith**

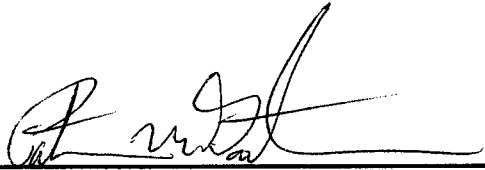
Grievance Number: 163637

GDC #: **1000661938**

Facility: **Riverbend C.F.**

RESPONSE TO GRIEVANCE:

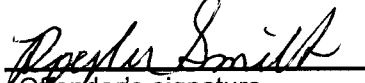
Riverbend's inmate provisions are based on GEO policy, Georgia Department of Corrections - Procedures and American Correctional Association standards which incorporate state and federal court orders. Your rights have not been violated. Grievance denied.



Warden's/Superintendent's signature

12/31/13
(date)

I ACKNOWLEDGE RECEIPT OF THE ABOVE RESPONSE ON THIS DATE:



Offender's signature

January 02, 2014
(date)

You have seven (7) calendar days within which to appeal this Response to your Grievance Coordinator. If the last day is not a business day at your institution, you may file it on the next day that is a business day.

Exhibit C



Georgia Department of Corrections
Office of Investigations and Compliance
Inmate Affairs and Ombudsman Unit
P.O. Box 1529
Forsyth, Georgia 31029

ATTACHMENT 9
SOP IIB05-0001

Nathan Deal
Governor

Brian Owens
Commissioner

CENTRAL OFFICE APPEAL RESPONSE

Offender's Name: Smith, Roy

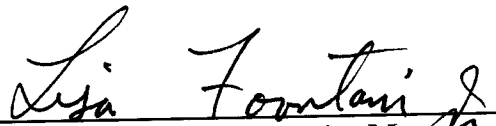
Grievance Number: 163316

GDC#: 1000661938

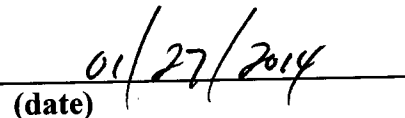
Facility: Riverbend Correctional Facility

A member of my staff has reviewed your grievance. In your written statement you alleged that Riverbend Correctional Facility is depriving you of the basic human needs. You alleged that your boots were confiscated and you were issued plastic Crocs and you were denied a rain poncho and a toboggan hat for seasonal weather.

Our review revealed that you provided no other factual evidence to substantiate your allegations that your basic human needs are being deprived because Riverbend Correctional Facility opted not to supply the inmate population with rain coats, toboggan hats and boots unless the boots are required for work detail. This grievance is denied.



Lisa Fountain, Interim Manager
Inmate Affairs and Ombudsman



(date)

I ACKNOWLEDGE RECEIPT OF THE ABOVE RESPONSE ON THIS DATE:

Offender's signature

(date)

12-12-13

CONFIDENTIAL
Offender GRIEVANCE FORM (Facsimile)

Attachment 1
SOP IIB05-0001

INSTITUTIONAL STAFF USE ONLY

OFFENDER NAME Roylee Smith

OFFENDER NUMBER 1000661438

INSTITUTION Riverbend Correctional Facility

GRIEVANCE NUMBER 1163314

DATE COMPLETED FORM RECEIVED FROM OFFENDER 12-12-13

BY

DATE APPEAL RECEIVED 1-7-14

BY

THIS FORM MUST BE COMPLETED IN INK. YOU MUST INCLUDE SPECIFIC INFORMATION CONCERNING YOUR GRIEVANCE TO INCLUDE DATES, NAMES OF PERSONS INVOLVED, AND WITNESSES.

DESCRIPTION OF INCIDENT:

I am filing this complaint against warden Fredrick J. Head for allowing his captain on property control M. Dixon, to deprive me of a basic human need guarantee by the Eighth amendment United States constitution which deals with prison conditions, for taken my boots and issuing me a pair of plastic clogs with holes inside them, and for refusing to issue me a clear pain poncho and a Toboggan Hat, due to the season of weather, I am aware of this state prison Facility Corrections and Riverbend Correctional Facility is responsible to my safety and health, and I stand a high serious risk of getting sick and need over 7

RESOLUTION REQUESTED:

A pair of size 11 tennis shoes or boots size 11, and a Toboggan Hat, and a rain poncho suite, at the expenses to Riverbend Correctional Facility as the 8th amendment requires of prison conditions of weather,

Roylee Smith
OFFENDER Signature

12-12-13

Date

Is this grievance being filed within the 10 day time limit? Please answer ☒ Yes or ☐ No . If the answer is No, please explain why.

the proper clothes Boots or tennis shoes, and a Tabbargan Hat, and a rain poncho. For raining days, I almost slip and fall several times due to these plastic holey crops which is also a safety hazard, it is the ~~responsibility~~ responsibility of Warden Head to provide proper clothes due to the wheater conditions outside. And I am requesting a pair of tennis shoes side 11, and or a pair of Boots side 11, and a rain poncho suite and a Tabbargan Hat, immediately or I am force to file a 1983 Civil Action For violation of my Eighth Amendment which deals with a basic human need, conditions in prison. This grievance is my informal resolution to resolve this matter.

Thank you

Royce Smith

12-12-13

Thursday morning Dec, 2013

WARDEN'S/SUPERINTENDENT'S GRIEVANCE RESPONSE

Offender's Name: **Roylee Smith**

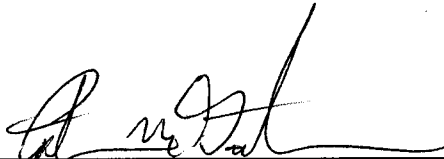
Grievance Number: 163316

GDC #: **1000661938**

Facility: **Riverbend C.F.**

RESPONSE TO GRIEVANCE:

Boots are issued to inmates who need them for their work details. Based on GDC SOP rain coats and tobaggans are optional and Riverbend opts not to supply them. You may purchase a pair of tennis shoes and a stocking cap through Access. Grievance denied.

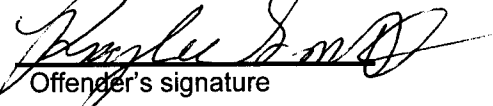


Warden's/Superintendent's signature

12/31/13

(date)

I ACKNOWLEDGE RECEIPT OF THE ABOVE RESPONSE ON THIS DATE:



Offender's signature

Jan 02, 14

(date)

You have seven (7) calendar days within which to appeal this Response to your Grievance Coordinator. If the last day is not a business day at your institution, you may file it on the next day that is a business day.



Georgia Department of Corrections
Office of Investigations and Compliance
Inmate Affairs and Ombudsman Unit
P.O. Box 1529
Forsyth, Georgia 31029

ATTACHMENT 9
SOP IIB05-0001

Nathan Deal
Governor

Brian Owens
Commissioner

CENTRAL OFFICE APPEAL RESPONSE

Offender's Name: Smith, Roy

Grievance Number: 163637

GDC#: 1000661938

Facility: Riverbend Correctional Facility

A member of my staff has reviewed your grievance. In your written statement you alleged that as a ward of the State, you should be provided legal materials, copies and postages. You further alleged that as a ward of the State, you should not have to pay sale taxes for food items from the commissary or pay the \$1.00 monthly fees for your inmate account. You alleged that the imposed fees violate your statutory and first amendment rights.

Our review of this grievance revealed that you failed to follow policy in the filing of this grievance. Policy states only one issue per grievance and you grieved several issues. Due to your failure to follow policy, this grievance will not be addressed by the Office of Inmate Affairs and Appeals.

Lisa Fountain
Lisa Fountain, Interim Manager
Inmate Affairs and Ombudsman

01/27/2014
(date)

I ACKNOWLEDGE RECEIPT OF THE ABOVE RESPONSE ON THIS DATE:

Offender's signature

(date)

CONFIDENTIAL
Offender GRIEVANCE FORM (Facsimile)

12-19-13
Attachment 1
SOP IIB05-0001

INSTITUTIONAL STAFF USE ONLY			
OFFENDER NAME	Roylee Smith	OFFENDER NUMBER	1000681938
INSTITUTION	1000681938	GRIEVANCE NUMBER	163487
DATE COMPLETED FORM RECEIVED FROM OFFENDER	12-18-13	BY	[Signature]
DATE APPEAL RECEIVED	1-16-14	BY	[Signature]

THIS FORM MUST BE COMPLETED IN INK. YOU MUST INCLUDE SPECIFIC INFORMATION CONCERNING YOUR GRIEVANCE TO INCLUDE DATES, NAMES OF PERSONS INVOLVED, AND WITNESSES.

DESCRIPTION OF INCIDENT:

I am filing this grievance against EEO Group conditions at Riverbend Correctional Facility, which violates a statutory right and the First Amendment constitutional So right protected by Turner standards. I am an ward of the state prison penal System, and placed in there custody. And the prison is ordered to provide all legal materials and copies to incarcerated prisoners whom Challenging his or her unconstitutional convictions by Habeas corpus petitions. The prison is also authority to pay any legal or personal postages over →

RESOLUTION REQUESTED:

That any and all obligations for legal mail copies and postages and the dollar a month and any sale Taxes be immediate stopped or I will be Force to file a law suit, this is my informal resolution and Exhaustion of Administrative remedies as the Ct requires!

[Signature of Roylee Smith]

12-18-13

OFFENDER Signature

Date

Is this grievance being filed within the 10 day time limit? Please answer

Yes ☒ or

No . If the answer is No, please explain why.

Description of Incident

without compensation from its ~~prisoners~~ prisoners family members whom place money on a inmates account. I currently have 3 state Habeas Corpus pending in Baldwin County Superior Court for unconstitutional convictions, and a 1983 Civil action which also challenges other prison conditions I was violated on, and Warden Mr. Fredrick J. Head is well aware of such actions pending. I am also being force to pay one dollar a month for inmate account, which is unconstitutional and violates a condition in prison. A prison facility may profit interest from an inmates account but not charge the inmate for having an account. I am also being force to pay sales taxes on purchase food items from the commissary. I am seeking immediate injunctive relief from GEO Group Riverbend Corr Facility, to Dispose of any obligations pending against me for legal mail copies, and postages for any postages of mail outgoing. I am also requesting for injunctive relief that no further deduction for sales tax for food purchases be deducted from my inmates account, And for GEO Group at Riverbend Correctional Facility, and the GDC Mr. Brian Owens stop charging me a dollar for holding an account for me.

WARDEN'S/SUPERINTENDENT'S GRIEVANCE RESPONSE

Offender's Name: **Roylee Smith**

Grievance Number: 163637

GDC #: **1000661938**

Facility: **Riverbend C.F.**

RESPONSE TO GRIEVANCE:

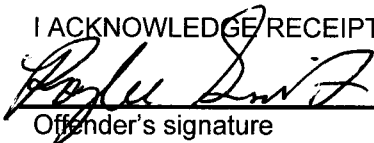
Riverbend's inmate provisions are based on GEO policy, Georgia Department of Corrections Procedures and American Correctional Association standards which incorporate state and federal court orders. Your rights have not been violated. Grievance denied.



Warden's/Superintendent's signature

12/31/13
(date)

I ACKNOWLEDGE RECEIPT OF THE ABOVE RESPONSE ON THIS DATE:



Offender's signature

1-2-14
(date)

You have seven (7) calendar days within which to appeal this Response to your Grievance Coordinator. If the last day is not a business day at your institution, you may file it on the next day that is a business day.